

STATEMENT OF PURPOSE

RS19540

This legislation clarifies that irrigation ditches and drains are not "floodways" and that construction, operation, maintenance and repair of irrigation and drainage facilities does not constitute "development" under the floodplain provisions of Idaho Code, and therefore does not require the issuance of permits. This is consistent with past interpretation and application of the statutes. It is also consistent with Idaho's Stream Channel Alteration Act, Title 42, Chapter 38, under which maintenance and repair of canals, ditches, laterals and diversion structures do not require a permit, and other statutory provisions governing operation, maintenance and repair of irrigation and drainage facilities.

FISCAL NOTE

This legislation has no fiscal impact to the General Fund.

Contact:

Name: Norman M. Semanko

Office: Idaho Water Users Association

Phone: (208) 344-6690